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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/817,106	04/02/2004	Andreas J. Heix	34874-097 UTIL	2886
64280 7590 01/12/2007 MINTZ, LEVIN, COHN, FERRIS, GLOVSKY & POPEO, P.C. 9255 TOWNE CENTER DRIVE SUITE 600 SAN DIEGO, CA 92121			EXAMINER SAEED, USMAAN	
			ART UNIT 2166	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	DELIVERY MODE
3 MONTHS			01/12/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/817,106

Applicant(s)

HEIX ET AL.

Examiner

Usmaan Saeed

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 April 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 April 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-23 are pending in this office action.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-23 are rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter. The language of the claims raises a question as to whether the claims are directed merely to an environment or machine which would result in a practical application producing a concrete useful, and tangible result to form the basis of statutory subject matter under 35 U.S.C. 101.

Claims 1-23 are rejected because they do not recite a practical application by producing a physical transformation or producing a useful, concrete, and tangible results. To perform a physical transformation, the claimed invention must transform an article of physical object into a different state or thing.

Transformation of data is not a physical transformation. A useful, concrete, and tangible results must be either specifically recited in the claim or flow inherently therefrom. To be useful the claimed invention must establish a specific, substantial, and credible utility. To be concrete the claimed invention must be

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able to produce reproducible results. To be tangible the claimed invention must produce must produce a practical application or real world result.

Claims 20-23 are rejected because they recite machine readable medium. Applicant's description includes both tangible mediums (e.g. magnetic discs, optical disks, memory) and non-tangible mediums (e.g. signals). Therefore applicant is suggested to recite "computer readable storage medium" in the claims.

To expedite a complete examination of the instant application the claims rejected under U.S.C. 101 (nonstatutory) above are further rejected as set forth below in anticipation of application amending these claims to place them within the four categories of invention.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-9, 13-17, and 20-21 are rejected under 35 U.S.C. 102(b) as being anticipated by **Giles J. Burgess**. (**Burgess** hereinafter) (U.S. PG Pub No. 2003/0033286).

With respect to claim 1, **Burgess teaches a machine-implemented method comprising:**

“receiving input corresponding to a displayname of a data resource” as an arbitrary-length stream of data 212 defined by the file contents 210 is processed through a message digest module 214 to generate a message digest 216 (**Burgess Paragraph 0034**).

“preparing a resource identifier of the data resource within a repository based on the input and naming conventions associated with the repository” as the message digest 216 is a fixed-length binary number which is further processed through a text encoder module 218 to generate a CSFN 220 (**Burgess Paragraph 0034 & paragraph 0040**).

“preparing the displayname of the data resource based on the input” as the term "file reference" is intended to more broadly describe any information that specifies a particular file; possibly by specifying a device and path in addition to a filename, for access. Thus, a "file reference" may contain a "filename" (**Burgess Paragraph 0015**).

With respect to claim 2, **Burgess teaches “wherein preparing the resource identifier comprises preparing the resource identifier such that the resource identifier resembles the displayname”** as the term "file reference" is intended to more broadly describe any information that specifies a particular file; possibly by specifying a device and path in addition to a filename,

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for access. Thus, a "file reference" may contain a "filename" (**Burgess** Paragraph 0015).

With respect to claim 3, **Burgess** teaches "**wherein preparing the displayname comprises modifying an existing displayname**" as (**Burgess** Figures 3-5).

With respect to claim 4, **Burgess** teaches "**wherein preparing the resource identifier comprises generating the data resource and the resource identifier in the repository**" as (**Burgess** Figure 3).

With respect to claim 5, **Burgess** teaches "**wherein preparing the displayname comprises setting a displayname property of the data resource if the repository supports display name properties**" as the term "file reference" is intended to more broadly describe any information that specifies a particular file; possibly by specifying a device and path in addition to a filename, for access (**Burgess** Paragraph 0015). Server 1 contains an HTML file named "File1.html" according to known naming conventions (**Burgess** Paragraph 0040).

With respect to claim 6, **Burgess** teaches "**wherein the displayname is a custom property of the data resource**" as the term "file reference" is intended to more broadly describe any information that specifies a particular file;

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possibly by specifying a device and path in addition to a filename, for access (Burgess Paragraph 0015).

With respect to claim 7, **Burgess** teaches “wherein the data resource comprises a link, the method further comprising: determining if a target resource of the link has a displayname; and if the target resource has a displayname, presenting the displayname of the target resource as a proposed displayname, otherwise presenting the resource identifier of the target resource as a proposed displayname” as with links to all of the files required for each and every feature of the software being installed. Such links may include file references that are location-specific and file references that contain CSFN's (Burgess Paragraph 0053).

With respect to claim 8, **Burgess** teaches “wherein preparing the resource identifier comprises renaming the resource identifier based on the input” as an arbitrary-length stream of data 212 defined by the file contents 210 is processed through a message digest module 214 to generate a message digest 216 (Burgess Paragraph 0034). The message digest 216 is a fixed-length binary number which is further processed through a text encoder module 218 to generate a CSFN 220 (Burgess Paragraph 0034 & paragraph 0040).

With respect to claim 9, **Burgess** teaches “wherein preparing the resource identifier comprises including at least a portion of the

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displayname in the resource identifier" the term "file reference" is intended to more broadly describe any information that specifies a particular file; possibly by specifying a device and path in addition to a filename, for access. Thus, a "file reference" may contain a "filename" (**Burgess Paragraph 0015**).

With respect to claim 13, **Burgess** teaches **"wherein the naming conventions associated with the repository comprise a naming convention excluding duplicate resource identifiers in a resource region and preparing the resource identifier based on that naming convention comprises: modifying a proposed resource identifier if another data resource, in a same resource region as the data resource, has a second resource identifier that is identical to the proposed resource identifier"** as server 1 contains an HTML file named "File1.html" according to known naming conventions. Also stored on Server 1 are two graphic image files that are referenced in the HTML in "File1.html." These files are named, according to the invention, CSFN1 and CSFN2. They may contain, for example, graphic images of banner advertisements that are to appear on the web page defined by "File1.html." Those of ordinary skill will recognize that the notational form, "CSFNx" in this example, is used for simplicity. The actual filenames will be of the form "% % XXXXXX.ext" where "% %" is the CSFN-indicating prefix, "XXXXXX" is a character string generated according to the present invention and will vary greatly depending on file content. The extension ".ext" is a generic representation of a conventional extension used to denote a particular type of

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file, for example, ".jpg" for a well-known type of graphic image file (**Burgess** Paragraph 0040 and 0058).

With respect to claim 14, **Burgess** teaches "wherein the naming conventions associated with the repository comprise a naming convention that retains content-type extensions in the resource identifier and preparing the resource identifier based on that naming convention comprises: including a content-type extension in the resource identifier regardless of the input" as server 1 contains an HTML file named "File1.html" according to known naming conventions. Also stored on Server 1 are two graphic image files that are referenced in the HTML in "File1.html." These files are named, according to the invention, CSFN1 and CSFN2. They may contain, for example, graphic images of banner advertisements that are to appear on the web page defined by "File1.html." Those of ordinary skill will recognize that the notational form, "CSFNx" in this example, is used for simplicity. The actual filenames will be of the form "% % XXXXXX.ext" where "% %" is the CSFN-indicating prefix, "XXXXXX" is a character string generated according to the present invention and will vary greatly depending on file content. The extension ".ext" is a generic representation of a conventional extension used to denote a particular type of file, for example, ".jpg" for a well-known type of graphic image file (**Burgess** Paragraph 0040).

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Group of claim 15-17, and 20-21 are essentially the same as group of claims 1-9 except they set forth the claimed invention as a system and an article and are rejected for the same reasons as applied hereinabove.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 10-11, 18, 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Giles J. Burgess**. (U.S. PG Pub No. 2003/0033286) as

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applied to claims 1-9, 13-17, and 20-21 in view of **Koppolu et al.** (**Koppolu** hereinafter) (U.S. Patent No. 6,401,099).

With respect to claim 10 and 11, **Burgess** does not explicitly disclose “presenting the displayname to a user interface” and “wherein presenting the displayname comprises presenting the displayname to the user interface and excluding the resource identifier from being presented to the user interface.”

However, **Koppolu** discloses “presenting the displayname to a user interface” and “wherein presenting the displayname comprises presenting the displayname to the user interface and excluding the resource identifier from being presented to the user interface” as the GetDisplayName function returns a human-readable display name of the object 80 which the client can display to the user, such as in a list box control or other user interface element. The display name is a text string that names the object 80, such as a path and file name or an Internet URL. The ParseDisplayName function operates in reverse, creating a moniker based on a text string provided by the client (**Koppolu** Col 12, Lines 27-34).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the cited references because **Koppolu’s** teachings would have allowed **Burgess** to asynchronously bind or retrieve data referenced by a name without blocking execution of the client. This

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allows the client to provide responsive user interaction including when remotely retrieving data (**Koppolu Abstract**).

Claim 18 and 22 are essentially the same as claims 10-11 except they set forth the claimed invention as a system and an article and are rejected for the same reasons as applied hereinabove.

5. Claims 12, 19 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Giles J. Burgess**. (U.S. PG Pub No. 2003/0033286) as applied to claims 1-9, 13-17, and 20-21 in view of **Daniel G. Pouzzner**. (**Daniel** hereinafter) (U.S. PG Pub No. 2004/0044791).

With respect to claim 12, **Burgess** teaches “**wherein the naming conventions associated with the repository comprise a naming convention**” and “**preparing the resource identifier based on that naming convention**” as the message digest 216 is a fixed-length binary number which is further processed through a text encoder module 218 to generate a CSFN 220 (**Burgess** Paragraph 0034 & paragraph 0040).

Burgess teaches the elements of claim 1 as noted above but does not explicitly disclose “**one set of characters to be excluded from the resource identifier**” and “**if a proposed resource identifier has a set of character to be excluded from the resource identifier, mapping the set of characters to one or more characters that can be included in the resource identifier.**”

However, **Daniel** discloses “one set of characters to be excluded from the resource identifier” and “if a proposed resource identifier has a set of character to be excluded from the resource identifier, mapping the set of characters to one or more characters that can be included in the resource identifier” as steps include excluding characters that are prohibited from appearing in internationalized host names, changing all characters with case properties to be lowercase, and then normalizing the characters (**Daniel** Paragraph 0117, 0064, 0083).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the cited references because **Daniel's** teachings would have allowed **Burgess** to allows the most common and computationally fastest encodings to be placed earlier in the iterative rotation so as to maximize efficiency for mapping characters (**Daniel** Paragraph 0230).

Claim 19 and 23 are essentially the same as claims 12-14 except they set forth the claimed invention as a system and an article and are rejected for the same reasons as applied hereinabove.

Conclusion

6. The prior art made of record and not replied upon is considered pertinent to applicant's disclosure is listed on 892 form..

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Examiner's Note: Examiner has cited particular paragraphs in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Contact Information


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Usmaan Saeed whose telephone number is (571)272-4046. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (571)272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Usmaan Saeed
Patent Examiner
Art Unit: 2166

Leslie Wong 
Primary Examiner

US
January 05, 2006


HOSAIN ALAM
SUPERVISORY PATENT EXAMINER